

AMENDED IN SENATE MAY 28, 2009

SENATE BILL

No. 585

Introduced by Senator Leno

February 27, 2009

An act to add Section 4132 to the Food and Agricultural Code, relating to Agricultural District 1-A.

LEGISLATIVE COUNSEL'S DIGEST

SB 585, as amended, Leno. Agricultural District 1-A: firearm sales at the Cow Palace.

Existing law generally regulates the transfer of firearms and divides the state into agricultural districts. District 1-A is the County of San Mateo and the City and County of San Francisco. A violation of statutes governing agricultural districts is a misdemeanor.

This bill would prohibit ~~the sale of~~ *events at which* firearms and ammunition *are sold* at the Cow Palace, as specified, located in District 1-A, *except as provided*, and would thereby make a violation of that prohibition a misdemeanor. *The bill would authorize up to 5 of those events per year until they are replaced with nonfirearm and nonammunition events, as provided.*

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 4132 is added to the Food and Agricultural Code, to read:

4132. (a) Notwithstanding any other provision of law, *and except as provided in subdivision (b)*, no officer, employee, operator, or any lessee of District 1-A as defined in Section 3853 may contract for, authorize, or allow, ~~the sale of an event at which~~ any firearm or ammunition *is sold* on the property or in the buildings that comprise the Cow Palace property in San Mateo County and the City and County of San Francisco or any successor or additional property owned, leased, or otherwise occupied or operated by the district.

(b) Notwithstanding subdivision (a) and commencing January 1, 2010, no more than five events as described in subdivision (a) shall be authorized or allowed per year on Cow Palace property. The district shall phase out those events by replacing them with nonfirearm or nonammunition related events and shall add no event that increases the number of these events at the Cow Palace property from the number in the preceding year.

~~(b)~~

(c) For purposes of this section:

(1) The definition of “firearm” means the term as included in subdivisions (b), (c), and (d) of Section 12001 of the Penal Code.

(2) The term “ammunition” includes assembled ammunition for use in a firearm and components of ammunition including smokeless and black powder, and any projectile capable of being fired from a firearm with deadly consequence.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.